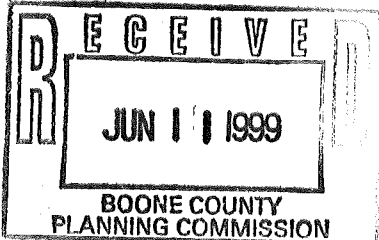


APPLICATION FORM

**BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION**



See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

1. Boone Florence Walton Union

(Check One)

2. Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use

3. Applicant's Name BCD INC
 Phone Number 502 348 2305 Fax No. 502-348-2008
 Applicant's Address 1200 ATKINSON HILL AVE
BARSTOWN KY 40004
 City State Zip

4. Description of Request: INCREASE OF SQUARE FOOTAGE IN SIGN AREA FROM 156 SF ± TO 312 SF ±

5. Name of Development CHEVRON TCBY Block & Barrel
 6. Location of Development US 42 AND LACRESTA

7. Acreage Under Review 0.9726
 8. Lot Number and Name of Subdivision (if part of a subdivision)
N/A

9. Owner of Property HARPER PROPERTIES
 Phone Number of Owner 606 283 1021 10.
 Address of Property Owner FLORENCE KY 41022
 City State Zip

11. Proposed Use(s) on Site Replace 1 pole sign with a new pole sign with increased sign footage.

12. Total Square Footage of Existing and/or Proposed Buildings N/A

13. Current Zoning on Property C-3

14. Deed Book SEE ATTACHED Page No. _____ Group No. _____

15. Is the site subject to a zone change? N/A
 If yes, give date of approval _____

16. Have you submitted a Site Plan with this request? Yes

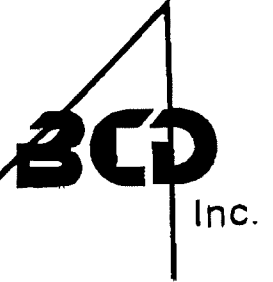
17. Have you submitted a list of adjoining property owners with this request? YES

18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Applicant's Signature: Jake M. PM BCD INC

Property Owner's Signature: Larry D Harper

1200 Atkinson Hill Avenue
Bardstown, Kentucky 40004



Phone: 502-348-2305
Fax: 502-348-2008

Date 6 / 4 / 99
Number of Pages (includes cover) 3

TO:

Larry Harper
Harper Properties

FROM:

Joseph R. Salsman

Fax No.:

Subject: FLORENCE CHEVON

REMARKS:

Larry - following is THE Application for change in next conforming use. Please review.

I need a legal description of the property

Current zoning property

Deed Book PAGE NO. Group NO.

List of adjoining property owners on all sides (incl. those across streets).

Your signature on the application.

If transmission is unclear, or not as noted, please contact us at (502) 348-2305. Thank you.

STAFF REPORT

APPLICANT: Joseph R. Salsman on behalf of Harper Properties
LOCATION: 8063 U.S. 42, Florence, Kentucky
ZONING: Commercial Services (C-3)
DATE: July 14, 1999

Proposal

The applicant is requesting a Change in a Non-Conforming Use for a free-standing sign located at 8063 U.S. 42, Florence, Kentucky. The height of the sign is 30' 7-1/2", and the current square footage is 157.5 square feet. The sign exceeds the maximum allowable height in the Commercial Services (C-3) zoning district by 7'-1/2", thus making the sign a non-conforming use. Section 3413 of the Boone County Zoning Regulations permits a free-standing sign at a maximum square footage of 200 square feet, and a maximum height of 30 feet, based upon 201 feet or more of street frontage. The proposed increase in square footage from 157.5 sq. ft. to 312 sq. ft is a total increase of 154.5, thus making a change from one non-conforming use to another.

Change from One Non-Conforming Use to Another

The Board of Adjustments and Zoning Appeals shall have the power to hear and decide on applications to permit a change from one non-conforming use to another. The board shall not permit such a change unless the new non-conforming use is as equally or more compatible with permitted uses in the district in which it is located as the existing non-conforming use (Section 273, Boone County Zoning Regulations).

Non-Conforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this order that could not be built under the terms of this order by reason of restrictions on intensity or size or lot coverage or height or bulk or setback, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

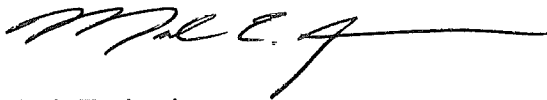
1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;

2. Should such structure be moved for any reason for any distance, it shall thereafter conform to the regulations for the district in which it is located after it is moved as otherwise provided in Kentucky Revised Statutes, Section 100.253(2).

Conclusion

The Board must find that the applicant's request for a change in non-conforming use is not enlarging or extending the non-conforming use beyond the scope and area of its present existence.

Respectfully Submitted,

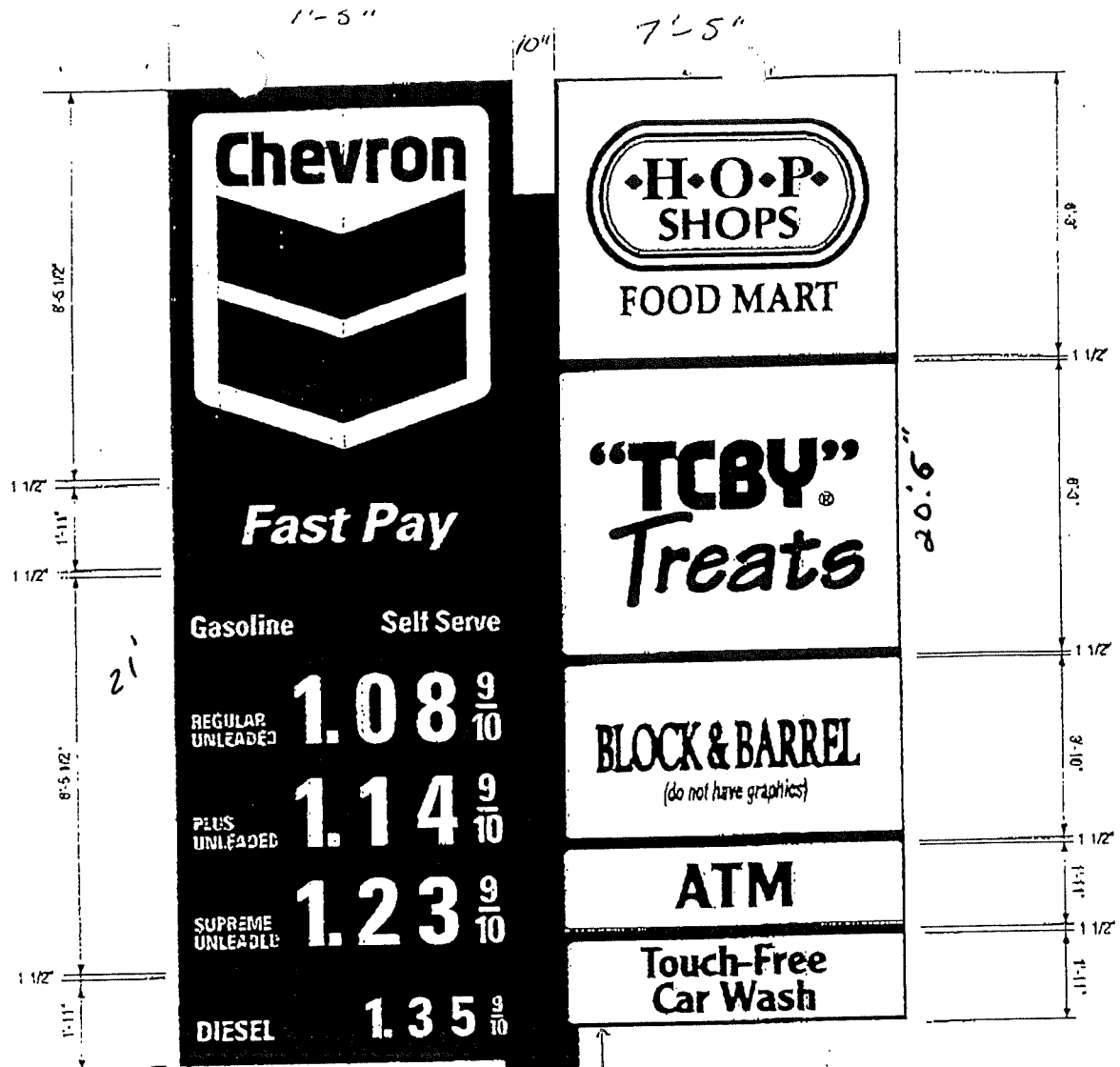


Mark E. Jordan
Planner

MEJ\pr

Attachments

- Architectural drawing showing current height and square footage of sign, and proposed increase in square footage
- Site Plan



HOP STOP GRAPHICS:

- BLACK
- RED TO MATCH CHEVRON RED

157.5 FE²

TCBY TREATS GRAPHICS:

- GREEN TO MATCH PMS #349
- BURGUNDY TO MATCH PMS #214
- WHITE

BLOCK & BARREL GRAPHICS:

HAVE NOT RECEIVED COLORS OR APPROVED GRAPHICS*****

ATM & TOUCH-FREE CAR WASH GRAPHICS:



- BACKGROUND: OPAQUE BEIGE LACRYL L5-9358
- LOGO COPY: BLACK 3M DAYLIGHT FILM #3635-91 BACKED UP WITH #3635-70 DIFFUSER FILM

153.75 FE²

9'-7 1/2"

Background borders opaque beige Lacryl L5-9358. All decoration second surface.

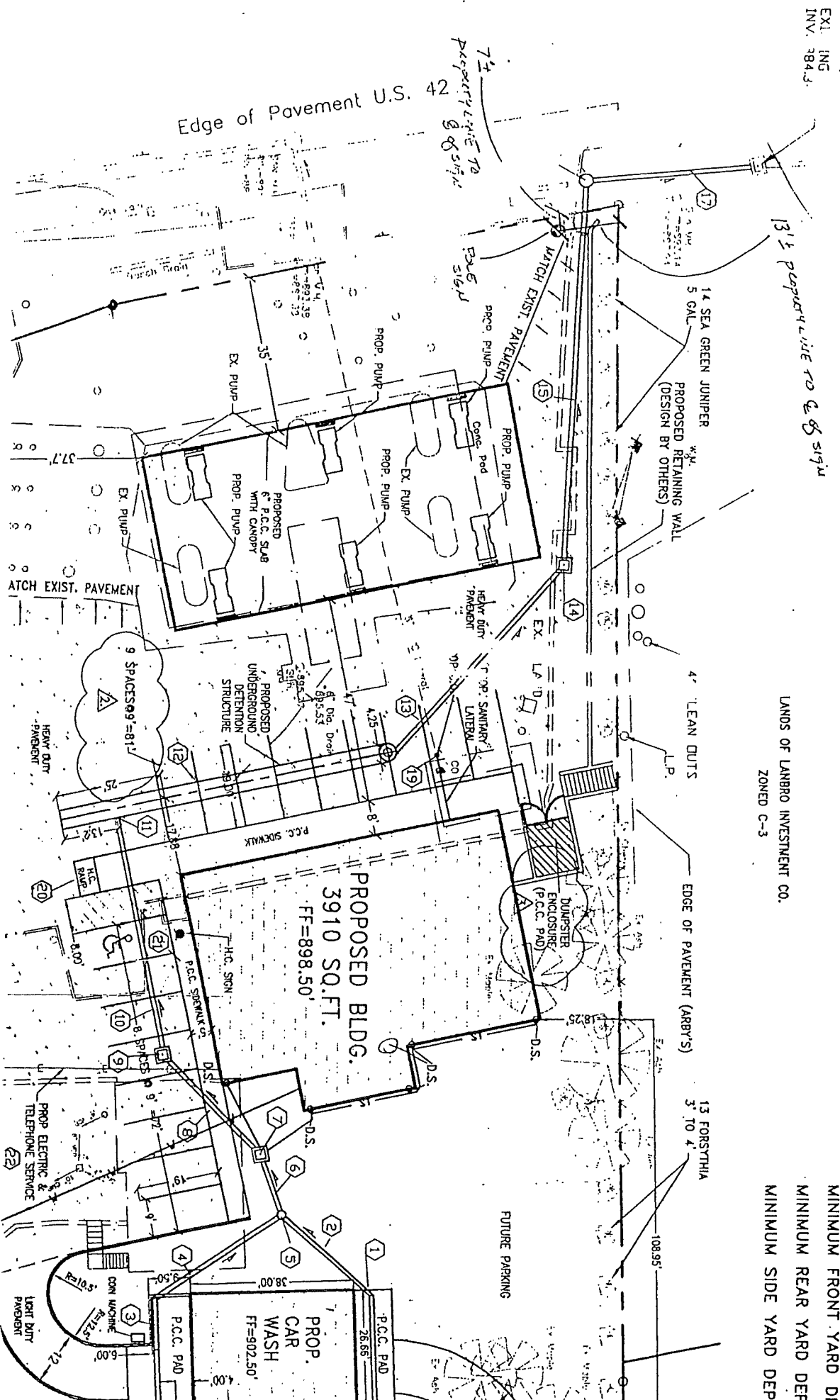
DOUBLE FACE INTERNALLY ILLUMINATED C-78 POLE SIGN (ELEVATION)

 <p>CUMMINGS SIGNS 200 12th Avenue South Nashville, Tennessee 37203 1-(800) 489-7446</p>		Design No. <u>28724A</u>		
		Scale: <u>1/4" = 1'-0"</u> Date: <u>4-7-99</u>		Approved _____ Date _____
		Created for the approval of: <u>CHEVRON USA, INC.</u>		Approved _____ Date _____
		Drawn by: <u>HAWKE</u>		Approved _____ Date _____
		© Copyright 1999 by Cummins Signs, Inc.		Approved _____ Date _____

BASED UPON SURVEY DATA AND TOPOGRAPHIC INFORMATION SUPPLIED BY OTHERS AND DOES NOT REPRESENT ACTUAL FIELD OR TOPOGRAPHICAL SURVEYS BY DAVID E. ESTES ENGINEERING CORP. RA ON INC.

LANDS OF LANBRO INVESTMENT CO.
ZONED C-3

CURRENT ZONING
MINIMUM LOT SIZE
MINIMUM FRONTAGE
MAXIMUM BUILDING HEIGHT
MINIMUM FRONT YARD DEPT
MINIMUM REAR YARD DEPT
MINIMUM SIDE YARD DEPT



EST
100%
7%
0.2%
X
1.55

EXL. ING
INV. 784.3.